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SIPDIS

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SUBJECT: APPROACHING THE EU IN ADVANCE OF THE NOVEMBER 19-20
FOREIGN MINISTERS MEETING (GAERC)

11. (U) Classified by William Lucas, Office Director, EUR/ERA.
Reason: 1.4(b) and (d).

12. (U) This is an action request. See paragraph 17.

13. (SBU) Summary: EU Foreign Ministers will hold their next General Affairs and External Relations Council (GAERC) meeting in Brussels on November 19-20. We expect the agenda to include: preparations for EU Summits with China, India, and Africa, as well as the Western Balkans (Kosovo and Bosnia), the Middle East (the Israeli-Palestinian peace process, Iran, Iraq), Chad/Sudan-Darfur, Pakistan, and Burma. Posts are requested to include the SIPDIS caption on their response cables. A background section covering some of these issues is provided prior to a section containing talking points. Points are to be delivered as soon as possible at the appropriate level to EU members only. Other posts should not/not deliver these points.

BACKGROUND

EU-AFRICA SUMMIT

14. (SBU) On December 8-9, the EU will hold a major summit with African leaders, the first such meeting since 2000. The EU and African Union (AU) will discuss issues including energy, climate change, peace and security, governance, human rights and migration issues, and are expected to agree on a joint strategic partnership and implementing action plan. Despite disagreement among some EU Members as to whether Zimbabwean President Mugabe should be invited (with at least one EU leader, UK PM Gordon Brown, stating he would not attend if Mugabe was present), the Portuguese are committed to ensuring the Summit takes place, but have stated that if Mugabe attends, there will definitely be a pointed discussion on governance and human rights issues. The U.S. has on several occasions expressed displeasure with Mugabe's invitation to the Summit.

IRAN

15. (C) The Foreign Ministers of China, France, Germany, Russia, the UK, the U.S., (P5+1) and EU High Rep Solana agreed on September 28 to reaffirm the dual track strategy on Iran: to offer negotiations, but to be prepared to impose further UNSC sanctions should Iran fail to meet the terms of such negotiations. The P5+1 Political Directors most recently met on November 2 to continue discussions on the text of the third sanctions UNSCR.

16. (U) Parallel to the UNSC track, France, with support from the

UK, has taken the lead in seeking EU sanctions against Iran outside of the UNSC framework. Additional bilateral sanctions are necessary to increase pressure on Iran and make clear that it will face serious political and economic costs if it continues to defy the UNSC.

¶17. (SBU) High Rep Solana and IAEA Director General ElBaradei will have issued their reports on efforts to bring Iran into compliance this week. Neither report is expected to be sufficiently positive to resolve all of the outstanding concerns related to Iran's nuclear activities. P5+1 Ministers have stated that if Iran does not comply with its obligations, a third UNSC sanctions resolution is the appropriate next step. The P5+1 will be meeting at the end of November to finalize the text of a third UNSCR sanctions resolution.

IRAQ

¶18. (SBU) The Expanded Neighbors of Iraq Ministerial held in Istanbul reinforced support for Iraq's political reconciliation process and underscored the importance of renewed efforts to combat terrorism in the region. We appreciate the EU's active support for this initiative. The Ministerial endorsed the establishment of a "support mechanism" to work with the Iraqi MFA to energize the Expanded Neighbors process and to help ensure that its three working groups address salient issues like refugees and border security in a concrete and timely way. Following up on the Istanbul ministerial, we look forward to increased engagement with UNAMI as it expands its presence and scope with the impending arrival of new SRS De Mistura.

¶19. (SBU) We are also encouraging Arab governments in particular to establish a diplomatic presence in Baghdad; at present, no Arab governments do so, although some, including the Saudis, have indicated that they will in the near future. We would welcome EU support in these efforts. On the ground, we are encouraged that levels of violence continue to trend downward as a result of the surge and an increasing number of Iraqis turning against extremists -- Al Qaeda and militias alike. Consolidating these security gains will require increased efforts by the Iraqi government to provide essential services, execute its capital budget for reconstruction and create conditions to expand employment. We would encourage the EU to consider expanding its development assistance to help improve the Iraqi government's capacity to address these challenges.

ISRAELI-PALESTINIAN PEACE

¶10. (SBU) We are working to achieve progress on political talks between PA President Abbas and Israeli PM Olmert, Palestinian institution-building (the mission of Quartet Representative Blair), and tangible changes on the ground on movement and access, security, and other issues. We want to outline the status of our efforts in all these areas for the Europeans.

LEBANON/SYRIA

¶11. (SBU) Successful Lebanese presidential elections are a key priority of the United States. Lebanese MPs must select a new president before the end of pro-Syrian president Lahoud's mandate on November 24, but the Pro-Syrian opposition continues to block presidential elections through intimidation tactics and prevention of a quorum at electoral sessions. France and other Europeans have urged the Lebanese to identify a "consensus candidate."

¶12. (SBU) We agree that a consensus with which March 14 is comfortable is ideal, but we must publicly affirm the March 14 majority's right to elect by absolute majority and the duty of all MPs to vote-even if we privately urge compromise. We must work together in advance of the elections and we must be prepared to take coordinated steps immediately following the elections to legitimate a president elected according to the Lebanese constitution. We have also urged the EU to test Syrian intentions by exploring the possibility of a civilian monitoring mission on the Syria-Lebanon border and to provide greater financial support for the UN Special Tribunal for Lebanon that

will investigate the 2005 assassination of former Lebanese Prime Minister Rafiq Hariri and related murders.

BURMA

¶13. (SBU) Aung San Suu Kyi's November 8 statement reiterated her willingness to cooperate with the Burmese regime on a "meaningful and time-bound" dialogue and welcomed the UN's good offices in facilitating that dialogue. Unfortunately, Burma's ruling generals have not shown any commitment to such a dialogue on a transition to civilian, democratic rule. On November 6, the regime rejected tripartite talks with ASSK and the UN as premature. Greater international pressure is needed to persuade them to cooperate fully with the UN and Aung San Suu Kyi. We also urge the EU to ensure that the upcoming ASEAN-EU Summit appropriately addresses continuing concerns about the situation in Burma and reiterates that it is not business as usual with Burma now.

PAKISTAN

¶14. (U) President Pervez Musharraf has imposed a state of emergency in Pakistan, suspended the constitution, ousted the Supreme Court Chief Justice and other justices who refused to swear allegiance to the provisional Constitutional Order. Under emergency rule, the government has arrested hundreds of lawyers, political leaders, judges, human rights activists and journalists. The international community should press for an end to the state of emergency, the restoration of constitutional normalcy, release of political detainees, to allow for fair and free elections as called for under the Constitution.

¶15. (U) In his address to the nation on 3 November, Musharraf urged the international community to accept Emergency rule for the time being. He also told the West, especially the U.S., the EU and the Commonwealth, that Pakistan was being destabilized because of extremism and terrorism.

¶16. (C) The U.S. has expressed concern about Musharraf's "extra-constitutional actions". It has also expressed support, as have the EU, the UK and Canada, for the restoration of the democratic process, including early free and fair elections. The international community should urge the Government of Pakistan to take the steps necessary for a peaceful transition to democracy.

¶17. (SBU) Please deliver the following points to the appropriate MFA official(s) as soon as possible (in advance of November 19 GAERC).

BEGIN NON-PAPER TEXT:

EU-CHINA SUMMIT

Iran:

-- The U.S. is committed to a diplomatic solution and working within the P5+1. The U.S. would like to see the EU put more pressure on China bilaterally to support P5+1 efforts and a third UNSC Resolution.

China's Anti-Satellite (ASAT) Test:

-- China's anti-satellite test in January was a destabilizing action that it has yet to adequately explain to the International Community. The debris cloud created jeopardizes the space interests of every space-faring country.

EU China Arms Embargo:

-- The U.S. believes that the embargo should remain in place. The original reasons for the arms embargo continue to this day. Lifting the embargo would lead to severe reactions on Capitol Hill with direct implications for U.S.-EU cooperation in the military realm.

EU-AFRICA SUMMIT

-- The U.S. welcomes EU's efforts to host a Summit with the AU

and to develop a more strategic partnership with the African continent.

-- We also look forward to working with the EU to strengthen AU capacity for continental peacekeeping, prosperity and economic growth.

-- However, we remain strongly opposed to the invitation of Mugabe to the Summit, from which he will infer that the international community is indifferent to his violent attacks on his domestic opponents; the total lack of rule of law; and moreover, he will definitely use his presence for his own personal political advantage.

-- If Mugabe attends, we urge the EU to hold a thorough discussion of his regime's abuses of human rights, attacks on democratic opposition, and destruction of Zimbabwe's once-vibrant economy.

KOSOVO

-- The Troika mandate and status negotiations will end on December 10.

-- We need to be realistic as chances for agreement are slim. There will be difficult decisions to make this year, and further delay would only strengthen radicals on both sides.

-- Intensive discussions with the UN on transition planning must begin now. UNSCR 1244 allows us to move forward, and such planning does not prejudice the results of the Troika talks.

-- We look forward to hearing EU thoughts on how to best bring all of our EU partners along to recognizing Kosovo's independence and maintaining our presence on the ground.

BOSNIA

-- The U.S. is deeply concerned about the political situation in Bosnia-Herzegovina.

-- The U.S. fully supports High Representative Lajcak and his October 19 Bonn Powers actions aimed at strengthening Bosnian state-level institutions.

-- We believe that we must stay united in our efforts to defuse the current situation and deter further confrontation with the international community. Continuation down this path will lead to broader regional destabilization.

-- Belgrade's actions have encouraged Dodik in his confrontational approach. Moscow's failure to support Lajcak is not helping to defuse the situation. We need to send clear and coordinated messages to them that we will not tolerate efforts to destabilize Bosnia and that there is no linkage to Kosovo. Belgrade, in particular, needs to understand it will be held accountable for destabilizing actions by the Republika Srpska.

-- We have strongly encouraged the Republika Srpska to constructively engage with the Office of the High Representative, and we have made clear that those who challenge Dayton will face serious consequences.

-- We strongly support the renewal of EUFOR's UN Security Council mandate. We must resist any efforts by Moscow to tie EUFOR's extension to the mandate of the Office the High Representative.

IRAN

-- We welcome continued U.S.-EU cooperation on Iran. It is vital to the success of international diplomatic efforts that the EU and the U.S. continue to speak with one voice on Iran.

-- The P5+1 Political Directors will meet soon to finalize the text of the third sanctions UNSCR so that it is ready to table with the full Council for a vote, should Iran fail to fulfill its UNSC obligations to suspend enrichment and resolve outstanding issues with the IAEA. The UNSC has made clear that absent Iran

suspending its proliferation sensitive nuclear activities, the international community can have no confidence that Iran's aims are merely peaceful. Suspension is not only U.S. policy, it is a unanimous, legally-binding UNSC requirement.

-- A firm stand by the international community on what is expected of Iran in addressing issues in the IAEA-Iran Work Plan is critical. We will look towards DG El Baradei's report to give a thorough accounting of the issues. Firm standards of verification are necessary in light of Iran's longstanding safeguards violations.

-- Parallel to our efforts in the Council, the U.S. also welcomes efforts aimed at securing EU sanctions against Iran outside of the UNSC framework. We urge EU Member States to consider implementing EU "autonomous measures" to contribute to increased international pressure on Iran.

-- In that direction, we understand that the EU Presidency has commissioned two reports, one by the Council Secretariat and the other by EU Heads of Mission in Tehran, on autonomous EU actions towards Iran if it fails to meet its UNSC obligations. We look forward to the expeditious completion of these two reports and the EU foreign ministers' consideration of their findings at the November 19 GAERC.

(IF ASKED)

-- The recent U.S. designations are intended to protect the international financial system from abuse by the Iranian regime. We urge EU Member States to follow suit by adding these entities to the designation list the EU used to implement UNSCRs 1737 and 1747. There is clear evidence linking the Iranian Revolutionary Guards Corps (IRGC), Bank Melli, and Bank Mellat to Iran's UNSC sanctioned proliferation activities, as well as evidence of IRGC-Quds Force's and Bank Saderat's support for terrorism. Our actions are also an appropriate response in light of the Financial Action Task Force's (FATF) recent declaration that Iran's illicit financial activities pose a threat to the international financial system. We would urge EU member states and the EU as a body to follow up on the FATF advisory by issuing advisories to their banks on the risks posed to the international financial system by Iran's lack of adequate anti-money laundering and counter terrorism finance (AML/CFT) controls.

IRAQ

-- Levels of violence continue to drop. Civilian and Coalition deaths are lower than they have been since early 2006. We encourage the EU to consider increasing development assistance to help the Iraqi government address the economic and social challenges necessary to consolidate these security gains.

-- The Istanbul Expanded Neighbors Ministerial was a success and we appreciate the EU's participation. We are encouraging UNAMI to move ahead smartly, including helping to establish a "support mechanism" to energize the neighbors process, as called for in the Istanbul communique.

-- We are also encouraging Arab governments to establish diplomatic presence in Baghdad as a concrete sign of their commitment to Iraq. We would welcome the EU's support in this endeavor.

ISRAELI-PALESTINIAN PEACE

-- Israeli PM Olmert and PA President Abbas continue to meet, as do their teams, to prepare for the Annapolis meeting, which could lay the foundation for serious negotiations on the establishment of a Palestinian state.

-- The upcoming international meeting in Annapolis will aim to advance that political process and rally international support for the parties' efforts, while also building on the efforts of Quartet Representative Blair on Palestinian institution-building.

-- The Donors' Conference in Paris on December 17 will be crucial to providing the Fayyad government with the resources it needs to

continue paying PA salaries and help address the severe economic conditions facing the Palestinian people.

-- Budgetary support is vital, as the PA will face a budget crisis in December when Israel finishes repaying customs and revenue arrears.

-- At the Donors' Conference, the U.S. intends to pledge \$375 million in addition to the regular assistance of \$75 million we intend to provide the Palestinians in 2008. We strongly urge others to pledge generously.

-- At the same time, we will work to achieve meaningful progress on the ground to build confidence between the parties and generate support for progress on the international and economic/institutional tracks.

-- The framework for discussions on the political track will be, consistent with the Roadmap, the goal of two states living side-by-side in peace and security based on the principle of land for peace, UNSCRs 242, 338, and 1397, and the Arab League Peace Initiative.

-- We have not yet issued invitations for the Annapolis meeting. Key participants will be the Israelis and Palestinians, of course, but we also view the Quartet and the Arab League Follow-Up Committee as natural participants as regional support is key to success, and essential for a comprehensive Middle East peace.

LEBANON/SYRIA

-- Prior to the presidential elections, we urge unified EU public statements, diplomatic pressure, and financial and travel sanctions on Syria, to ensure free and fair on-time presidential elections held according to the Lebanese Constitution and without foreign interference.

-- We believe that public statements should support the constitutional process in Lebanon, recognize March 14's right to elect by absolute majority, and urge parliamentarians to attend electoral sessions while refraining from backing specific candidates.

-- While we support March 14's talks with the opposition, we must not pressure the March 14 majority to give up its constitutional right to elect a president by absolute majority.

-- Syria must know there will be consequences if it does not cease its destabilizing tactics in Lebanon. Recent travel and financial sanctions imposed by the U.S. on Lebanese and Syrian individuals who undermine Lebanon's sovereignty and democracy will be more effective if other states take similar actions.

-- We have warned key players that we will impose additional sanctions on participants in an illegitimate Lebanese government, should one emerge.

-- Once elections take place, we urge the EU to strengthen a legitimately-elected president through immediate diplomatic recognition and through leveraging assistance to encourage government agencies to support the legitimate government.

-- Outgoing President Lahoud and the pro-Syrian opposition will try to undermine a presidential election that has anything less than a two-thirds majority; Lahoud could refuse to step down or could appoint an illegitimate second government.

-- By warning the security forces and the central bank that assistance will only continue if they support the legitimate government, we can influence them to stand by the legitimate government during what we expect to be a difficult transition period.

-- Any border security delegation seen as focused on Damascus rather than Beirut will have negative consequences for March 14 as the presidential election period winds down. Prime Minister Siniora has substantive questions and comments on the EU proposal; we urge EU to seek and incorporate his input and not

take Lebanese cooperation for granted.

-- We urge that the EU and its Member States make quick and generous contributions to the UN Tribunal. Rapid establishment of the Tribunal is a form of pressure on Syria and can help deter future assassination of anti-Syrian Lebanese leaders.

-- UN Secretary General Ban Ki-Moon has said that he will not establish the tribunal until he has received enough contributions to fund the operations of the first year (USD 35m) and pledges to fund the second two years (USD 85m). So far only Lebanon, the U.S., France, Indonesia, and the UK have committed funds; approximately USD 23m in cash.

BURMA

-- We welcomed Aung San Suu Kyi's November 8 statement and continue to support the UN's "good offices" mission to facilitate a transition to democracy in Burma.

-- The Burmese regime continues to resist a dialogue with Burma's democratic and ethnic minority groups.

-- We welcomed the EU's announcement of new sanctions on October 15. We urge that these sanctions be implemented soon.

-- We urge the EU to consider tougher financial sanctions, including a ban on the export of financial services, as a means to persuade the regime to act on its stated commitment to pursue a transition to democracy.

-- We welcome the appointment of a EU Special Envoy for Burma and look forward to working closely with Mr. Fassino.

PAKISTAN

-- We believe that the international community must strongly urge President Musharraf and the Government of Pakistan to:

-- Lift the state of emergency and the Provisional Constitutional Order, and restore fundamental freedoms.

-- Respect rule of law and human rights and immediately release political detainees.

-- Musharraf must give up his post of army chief before taking the oath of office as President.

-- Hold free, fair and transparent elections as mandated by Pakistan's Constitution.

RICE